

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2197 of 2018

- K. Sonu @ Aanand (As Per Charge Sheet The Applicant Name Is K. Sonu Rao) S/o Late K. Lachchheyya Aged About 29 Years R/o- Station Ward Bhatapara, Police Station- Bhatapara (City) District- Balodabazar, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- It's Police Station- Bhatapara (City) Civil And Revenue District- Balodabazar, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Respondent

For Applicant : Mr. B.L. Sahu, Advocate.
For Respondent : Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

09/05/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.34/2018, registered at Police Station– Bhatapara, Civil & Revenue District– Baloda Bazar(C.G.) for the offence punishable under Section 306 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 27.12.2017. After completion of investigation, charge-sheet has been filed. No case is made out against this applicant according to the material present in the charge-sheet. In fact the applicant and the

deceased had love affair between them and deceased wanted to marry with this applicant but her marriage was negotiated and fixed with some other person by her parents, hence, being displeased and frustrated with this, she committed suicide for which this applicant cannot be held responsible. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that in the statement under Section 161 of CrPC given by father of deceased, he has stated, that this applicant had admitted before him that deceased has committed suicide because of him, hence, he is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. Deceased Rani Sen committed suicide on 27.12.2017 by hanging herself. After inquest procedure, FIR has been lodged against this applicant on the basis of the allegation that due to abetment given by this applicant, the deceased has committed suicide.
6. Considered on the material present in the case diary, admittedly it appears that applicant and the deceased had love affair between them. Marriage of deceased was fixed somewhere else which appears to be a reason for committing suicide by the deceased, but the question whether this applicant abetted the commission of suicide or not is yet to be examined before the trial Court. For the present situation, I am of this view that this is a fit case where applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on

him furnishing a personal bond for a sum of Rs.25,000/-with one surety in the like sum to the satisfaction of the concerned trial Court, for him appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha